REMARKS

The above amendments and following remarks are submitted in response to the Official Action of the Examiner mailed May 15, 2007. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance.

Claims 1 and 6 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In making her rejection, the Examiner states:

> Regarding claims 1 and 6, nowhere in the original specification describes (sic) or support (sic) " a Data Wizard located within said server" wherein said server in the claim containing (sic) a data base management system.

This statement is clearly erroneous for the reasons previously argued extensively by Applicants. Nevertheless, to further the prosecution of the subject application, claims 1 and 6 have been amended above to broaden them to include the Examiner's understanding of Applicants' disclosure.

Claim 1 has also been rejected as being vague and indefinite in view of the limitation, " build said service as a plurality of discreet and independent steps **corresponding** to said ordered sequence of command language script". It appears that this rejection is improperly stated as supported by 35 U.S.C. 112, first paragraph. It is assumed that the Examiner meant to reject claim 1 under 35 U.S.C. 112, second paragraph.

In response thereto on the merits, Applicants respectfully suggest that the Examiner consult the specification at page 38, lines 12-16, for an explanation of "corresponding". This ground of rejection is respectfully traversed.

Claims 1-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,058,264, issued to Glaser (hereinafter referred to as "Glaser"). This ground of rejection is respectfully traversed as to amended claims 1-20 for the following reasons.

The standards for a finding of anticipation during examination are specified in MPEP 2131, which provides in part:

> TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM
> "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). **"The identical invention must be shown in as complete detail as is contained in the ... claim."** *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (emphasis added)

The rejection is respectfully traversed because Glaser does not show "the identical invention" "in as complete detail as is contained in the claim[s]" as required by MPEP 2131.

Though there are numerous differences between Applicant's claimed invention and the disclosure of Glaser, the Examiner may wish to consider the disclosed environment of Glaser. The components of Figs. 1-3 appear to show the operating

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configuration whereas Figs. 4-10 appear to show the developmental

environment. Applications of the disclosure of Glaser are

developed by Development Computer 400 of Glaser (see Fig. 4). As

explained at column 5, line 14, through column 6, line 23,

Development Computer 400 provides the "development environment"

for Glaser.   This environment of Glaser apparently provides a

single location for development of a Graphical User Interface

(GUI) for developing "extenders" for a plurality of data base

management systems without using the facilities of the data base

management systems. In other words, the functionality of Glaser

is contained within a single computer, thus precluding an

anticipation of claims requiring coupling of a plurality of

computers via a publically accessible digital data communication

network.

Applicant's claimed invention, on the other hand, is

directed to using a publicly accessible digital data

communication network to provide a plurality of Graphical User

Interfaces for a given data base management system primarily

using the resources of the data base management system. The

advantages of relying upon the power of the data base management

system to construct the GUI are discussed throughout Applicant's

disclosure, and the approach is summarized at page 10, lines 20-

21:

> In accordance with the present invention, a customized
> user interface is built from multiple components stored
> in the proprietary database management system.

As a result, there are any number of limitations to be found

within Applicant's claims, as amended, specifically directed to

this distinction which are not found in Glaser.

In other words, Glaser is interested in providing a

standardized interface to an RDBMS without modifying the RDBMS.

Thus, the allegedly new interface of Glaser is developed

completely external to the RDBMS. As clearly shown in Fig. 4 of

Glaser, all of these allegedly new interface functions are

developed and performed within a single computer called

Development Computer 400.

Applicants, on the other hand, specifically require that the

new interface be created in accordance with modifications to the

legacy data base management system. This is certainly much

cheaper than the approach of Glaser, because it does not need

Development Computer 400. It is also much more flexible than the

approach of Glaser as is documented in Applicants' specification.

Having previously considered this argument, the Examiner has

curiously stated:

> However, the claim only recites "manipulations of data
> within a data base management system" and not modifying
> the data base management system as argued.

This statement is particularly curious, because the Examiner

explicitly admits the claimed data manipulations by the claimed

data base management system. This is precisely the point.

Because the alleged data base management system of Glaser has

expressly not been so modified, it cannot perform the

"manipulations of data within a data base management system" as

claimed. In an apparatus claim, Applicants generally claim a

structure rather than the method of making the structure.

However, it was deemed instructive to discuss the modifications

to the "data base management system" so that the Examiner could

readily understand that is why it can perform "manipulations of

data" which cannot be performed by the prior art without adding

the newly generated standardized interface disclosed by Glaser.

Apparently, the Examiner implicitly knows of this

distinction. Therefore, instead of responding to Applicants'

invention as claimed, she finds various of the claimed

limitations distributed throughout the Glaser disclosure as

explained below.

For example, amended claim 1 requires at element "a", "a

computer server responsively coupled to a data base management

system having a plurality of customized user interface components

stored therein". In making her rejection, the Examiner cites

Fig. 3 (which certainly shows a "server") along with Figs. 7A-7G,

which are simply windows displayed on Development Computer 400.

Column 7, lines 48-50, states:

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> FIGS. 7A-7G illustrate smart guide windows 448 provided
> by the extender smart guide 422 to enable a user to
> create or modify an extender definition.

Fig. 4 of Glaser clearly shows that Extender Guide 422 is located

within Development Computer 400, and there is no showing by

Glaser that Development Computer 400 is in any way coupled to

Fig. 3 as required by the claimed invention.

> Similarly, claimed element 2 requires:

> a user terminal operated by a user coupled to said
> server via a publically accessible digital data
> communication network which builds a service using said
> plurality of customized user interface components
> providing a related sequence of manipulations of data
> within said data base management system which responds
> to said service by executing an ordered sequence of
> command language script;

Again realizing that Glaser cannot meet these limitations as

claimed, the Examiner begins by citing Client Computer 102 of

Fig. 1. She then cites column 3, lines 49-56, alleging the

claimed building of a service. Yet, the only execution of the

cited RAD tool disclosed by Glaser is by the unrelated

Development Computer 400 (see column 5, lines 15-25).

Furthermore, the Examiner has already found that Development

Computer 400 performs the functions of the claimed server of

claim element "a".

Continuing the clearly erroneous findings of fact, the

Examiner cites column 4, lines 21-35, which discusses the

operation of database server 122. The Examiner completes her

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findings with regard to claim element "b" by citing unrelated
Network Server 110.

The third claimed element "c" is, "a Data Wizard located
within said server". This is clearly not found within Glaser, as
acknowledged in her rejection by finding that Figs 7A-G allegedly
show the claimed Data Wizard. Thus, the claimed invention
utilizes the power of the claimed data base management system to
construct the "service requests" used to direct the data base
management system. On the other hand, the creation of the
"extender" occurs within the development computer 400 of Glaser
which the Examiner has also apparently found to be the claimed
"user terminal" (see rejection of claim element "b").

Claim element c also requires that each service request be
user specified as "a plurality of discrete and independent steps
corresponding to said ordered sequence of command language
script" permitting each step to be separately and independently
edited with the claimed Data Wizard. This functionality is
summarized in the specification at page 12, line 21, through page
13, line 9, and described in detail in Figs. 25-35 with
corresponding detailed description at pages 57-67.

Glaser has no provision for accommodating these
developmental features. Therefore, the Examiner simply cites
Figs 7A-7C and corresponding text of Glaser. Though the Examiner
appears to focus on the ability of Glaser to select an

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"attribute", there is no showing that any particular selected "attribute" is associated with a single step of the "extender" being created as claimed. In fact, it is clear that the opposite is true. Selection of an "attribute" of Glaser means selection of that "attribute" for all of the "extender". Surely, the Examiner can distinguish between the claimed modifying of a portion (i.e., step) of the claimed service request and the action of Glaser to select an "attribute" for all of the "extender.

Furthermore, the fourth element is limited by a "save component module" located within the claimed data base management system. In making her rejection, the Examiner cites the irrelevant column 9, lines 14-40. The citation at column 9, lines 14-40, is totally irrelevant, because it refers to "a dynamic link library" which is clearly not created in accordance with the extender and does not indicate where it is stored or where it is located. The remainder of the citation discusses script without regard to where it is stored and which "enables a table" rather than be created from a table as claimed. It is not understood why the Examiner considers this citation relevant to the claimed element, but it is clear that the citation does not meet the requirements of MPEP 2131.

The rejection of claim 1 as amended, and all claims depending therefrom, is respectfully traversed for failure of

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Glaser to show "the identical invention" "in as complete detail as is contained in the claim" as required by MPEP 2131.

Claim 6 requires a "user terminal .... which creates a service request for modification of data within a data base". In clearly erroneously finding this element, the Examiner cites Client Computer 102, Fig. 1. However, there is no showing that Client Computer 102 of Fig. 1 "creates a service request for modification of data within a data base". The only description of Client Computer 102 is found at column 3, line 64, through column 4, line 3. There is no suggestion that Client Computer 102 "makes a service request for modification of data within a data base" as clearly erroneously found by the Examiner.

As if to acknowledge this deficiency in Glaser, the Examiner also cites column 3, lines 49-56, which summarizes the operation of the RAD tool. Yet the RAD tool is located within and executed by Development Computer 400 not Client Computer 102 (see column 5, lines 16-19). Surely, the Examiner does not allege that the cited RAD tool is executed within Client Computer 102 as she has implied in her rejection.

Furthermore, the Examiner finds that Figs. 7A-7G, the windows displayed on Development Computer 400 are so how provided to Client Computer 102 of Fig. 1. Yet there is no disclosure by Glaser to support this allegation.

The second claimed element "b" requires that the claimed "server" "stores said plurality of customized user interface components and supplies said plurality of customized user interface components to said user terminal". Because this limitation is not found in Glaser, the Examiner simply ignores it.

The third claimed element "c" requires "a Data Wizard coupled to said user terminal and **located within said server** which enables said service request to be defined from said user terminal in accordance with a plurality of discreet and independent steps rather than said ordered sequence of command language statements". Again, the Examiner cites Extender Smart Guide 422 of Development Computer 400, even though she has found the claimed "server" to be disclosed by Fig. 3 of Glaser. Furthermore, the Examiner impermissibly finds that Figs. 7A-7G are the claimed "discrete and independent steps" in addition to being the "plurality of customized user interface components" (see findings regarding claim element "a").

The fourth element of claim 6 is "a service module located within said data base management system", just as the third element requires that the "Data Wizard" be located within the claimed "data base management system". In making her rejection, the Examiner again impermissibly cites Figs. 7A-7G of Glaser. Surely, the Examiner does not assert that Figs. 7A-7G of Glaser

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are "located within" RDBMS 126 which the Examiner has found to be the claimed "data base management system".

Furthermore, the Examiner cites column 9, lines 14-40, of Glaser which has nothing to do with Figs. 7A-7G and nothing to do with the claimed invention. The rejection of amended claim 6, and all claims depending therefrom, is respectfully traversed.

Claim 11, as amended, is an independent method claim having five basic method step limitations. The first step involves "building a customized user interface from a plurality of components stored within said data base". The Examiner has previously admitted that this feature is not found in Glaser. Apparently, she has changed her mind.

As explained above, Applicant's invention expresses a service request as a plurality of individual and independent steps. In making her rejection, the Examiner continues to cite Figs. 7A-7G and column 3, lines 49-56, of Glaser which involves the steps required to develop a single query as opposed to the claimed "steps" which define the claimed service request. Furthermore, Figs. 7A-7G and column 3, lines 49-56, all occurs within the single computer, Development Computer 40.

On the other hand, Applicants' invention requires a plurality of data processing functions using a plurality of data processing steps. Glaser utilizes a plurality of user actions (i.e., Figs. 7A-7G) to define a single query. In Applicants'

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claimed system, the data processing system performs the claimed plurality of steps. In Glaser's system, the user performs the alleged plurality of steps by proceeding from Fig. 7A through Fig. 7G to define a single query.

Furthermore, claim 11 requires a "storing step". As explained above, Glaser does not have the "storing" step. As discussed above, the Examiner has confusingly cited column 9, lines 14-40, which simply does not address the claimed invention, because it involves a link library which may be stored at an unidentified location. The rejection of amended claim 11, and all claims depending therefrom, is respectfully traversed.

Claim 16 is an independent apparatus claim having four separate "means-plus-function" limitations. Claim 16 requires that the claimed "steps" are discrete and independent to permit individual editing without impact upon other steps. As explained above, this feature is not found in Glaser. Claim 16 requires that the "plurality of components" of the customized user interface, the "designing means" and the "storing means" all be located within the claimed "providing means". Glaser clearly utilizes only development computer 400. The rejection of amended claim 16, and all claims depending therefrom, is respectfully traversed.

Claims 2, 7, and 18 depend from claims 1, 6, and 17, respectively, and further limit the claimed network. Glaser

cannot meet the limitations of claims 1, 6, and 17 for the reasons provided above, because the claimed functionality all resides within the Development Computer 400. Therefore, Glaser cannot meet the further limitations of claims 2, 7, and 18. The rejection of claims 2, 7, and 18 is respectfully traversed.

Claims 3, 9, 13-14, and 20 depend from claims 2, 8, 12, and 19, respectively, and further limit the software architecture of the claimed user terminal. In making her rejection, the Examiner cites Glaser, Fig. 1, element 102. Fig. 1 says nothing of the software architecture of Client Computer 102. It could be a MACINTOSH computer, having a commercially available browser; it could be a DEC, computer having a commercially available browser; etc. In fact, Glaser does not define the software architecture of Client Computer 102 anywhere. Therefore, the rejection of claims 3, 9, 13-14, and 20 is respectfully traversed, because Glaser does not show "the identical invention" "in as complete detail as is contained in the claim[s]" as required by MPEP 2131.

Claims 4, 8, and 17 depend from claims 3, 7, and 16, respectively, and are further limited wherein the claimed "**Data Wizard**" has certain editing features. Glaser on the other hand, cannot edit the claimed individual steps because it does not have individual steps.

However, the functional differences previously admitted by the Examiner correspond to actual structural differences. The

structure of Applicant's claimed "Data Wizard" is different from
the structure of Glaser's "Extender Smart Guide" 422 in that
Applicant's invention offers display of individual steps whereas
Glaser's does not. It is these structural differences which
render Applicant's claimed invention patentable over Glaser in
accordance with MPEP 2131. The rejection of claims 4, 8, and 17
is respectfully traversed.

Claims 5, 10, 15, and 19 depend from claims 4, 9, 14, and
18, respectively, and further limit the claimed "data base
management system" to a "commercial" system. In making her
rejection, the Examiner again cites Glaser, column 3, lines 49-
56, holding that Glaser "is primarily targeted to enterprise
customers". Surely, the Examiner can distinguish between the
claimed "commercially available" system which may or may not be
an enterprise system and Glaser's "enterprise customers" which
may or may not use the claimed "commercially available" software

> Instead, the Examiner states:
>
> Since (sic) the system targets on (sic) enterprise
> customers, the system relating to economic business
> (sic) thus datable (sic) management system of Glaser is
> commercially (sic).

This statement, to the extent understandable, is legally
irrelevant, because it does not address Applicant's claimed
invention. An enterprise system may be proprietary, and economic
businesses may utilize proprietary data base management systems
or may utilize no data base management systems at all. This is

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readily distinguishable from the claimed feature of "commercially available", meaning that it can be readily purchased. Furthermore, government and non-profit organization can employ "enterprise" systems, even though they are not "commercial". The United States Patent and Trademark Office is such an organization. The rejection of claims 5, 10, 15, and 19 is respectfully traversed.

Claim 12 depends from claim 11 and is further limited by an "editing said previous discreet and independent step without modification to said subsequent discreet and independent step". Because Glaser does not have the claimed "discrete and independent steps", the Examiner again cites Figs. 7A-7G of Glaser, which simply shows the user steps needed to define a single query. The rejection of claim 12 is respectfully traversed.

Claims 1-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,295,531, issued to Bae et al (hereinafter referred to as "Bae"). This ground of rejection is respectfully traversed as to amended claims 1-20 for the following reasons.

Though Bae has a Data Wizard, it does not have the claimed "plurality of customized user interface components". Therefore, Bae has neither the structure nor the functionality to perform the claimed creation of "said service as a plurality of discreet

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and independent steps corresponding to said ordered sequence of command language script". Instead, Bae utilizes its Data Wizard to directly generate the script needed to define a service request. Bae states at column 5, lines 3-4:

> Through the use of the data wizard to generate the SQL script.....

Thus, Bae certainly cannot be found to anticipate Applicants' claimed invention, because it does not comply with MPEP 2131.

Furthermore, because Bae and the subject invention have been commonly assigned to Unisys Corporation as a matter of public record, 35 U.S.C. 103 precludes Bae from being cited as obviousness prior art against the subject invention. Therefore, Applicants' claimed invention is not unpatentable in view of Bae.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, being the only pending claims.

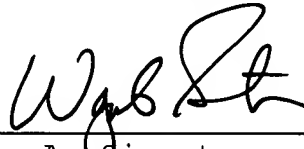Please charge any deficiencies or credit any overpayment to

Deposit Account No. 14-0620.

Respectfully submitted,

Thomas N. Turba et al.

By their attorney,

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